

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION No. 7002 of 2005

Between:

Smt. Akula Lakshmi Narsamma, W/o. A. Satyanarayana,
R/o. Jaligama Village, Gajwel Mandal, Medak District.

..... PETITIONER

AND

1. Commissioner, Panchayat Raj, Himayat Nagar, Hyderabad.
2. District Collector, Panchayat Raj Wing, Medak District, Sangareddy.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ or Writs or order or direction more particularly in the nature of Writ of Mandamus by declaring the order passed by the District Collector, Panchayat Raj Wing, Medak District, Sangareddy vide proceedings No. 171/2004/A2/P dated 7-9-2004 under Section 249 (1) of Andhra Pradesh Panchayat Raj Act, 1994 as illegal, arbitrary, against the provisions of Andhra Pradesh Panchayat Raj Act, 1994 and Rules and violative of principles of natural justice, and to direct the respondent to re-instate the petitioner into the post of Sarpanch of Jaligama Village, Gajwel Mandal, Medak District.

Counsel for the Petitioner: SMT. A.ANASUYA

Counsel for the Respondent Nos.1 and 2: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission made the following :

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ORDER :

The petitioner is the elected Sarpanch of the Gram Panchayat, Jaligama village, Gajwel mandal, Medak district. By order dated 07.09.2004 passed by the second respondent under Section 249 (1) of the Andhra Pradesh Panchayat Raj Act, 1994 (for short, 'the Act'), the petitioner was removed from the office. Aggrieved by the said order, the petitioner filed an appeal under Section 249 (7) of the Act and the same is pending before the first respondent.

The only grievance of the petitioner is that the first respondent failed to consider the said appeal and no orders have been passed even on his application for stay. Hence, the writ petition.

Having heard the learned Counsel for the petitioner and the learned Government Pleader for revenue appearing for the respondents, the writ petition is disposed of with a direction to the first respondent to dispose of the application for stay filed by the petitioner in the appeal filed against the order of the second respondent dated 07.09.2004 as expeditiously as possible, within a period of two weeks from the date of receipt of a copy of this Order.

Accordingly, the writ petition is disposed of. No costs.

G.ROHINI, J.

Dated: 5th April, 2005.

CS

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Commissioner, Panchayat Raj, Himayat Nagar, Hyderabad.
2. The District Collector, Panchayat Raj Wing, Medak District, Sangareddy.
3. Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hyderabad. (O.U.T.)
4. Two CD copies

*Form-NIC-OGS/WP{**SPJS**}*